

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON MAZZA	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE	:	NO. 08-606

ORDER

AND NOW, this 30th day of June, 2009, upon careful and independent consideration of plaintiff's motion for summary judgment (docket entry # 10), defendant's response thereto (docket entry # 11), the Honorable Elizabeth T. Hey's report and recommendation (docket entry # 15), to which neither party has filed an objection within the period specified by Loc. R. Civ. P. 72.1, and the Court agreeing with Judge Hey that there was not substantial evidence in the record to support the ALJ's wholesale rejection of doctors' opinions regarding plaintiff's postural limitations, it is hereby ORDERED that:

1. The report and recommendation is APPROVED and ADOPTED;
2. Plaintiff's motion for summary judgment is GRANTED IN PART;
3. The case is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further

proceedings consistent with Judge Hey's report and
recommendation; and

4. The Clerk of Court shall CLOSE this case
statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.